

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2017

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.OP.No.4471 of 2017

Yunus Bai @ Moahmed Yunus

... Petitioner

Versus

State represented by
The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the Learned Principal District and Sessions Judge, Thiruvallur and Special Judge for SC and ST Act to consider his bail application on the same day on surrender of this petitioner in Crime No.105 of 2017 on the file of the the Inspector of Police, E-5, Sholavaram Police Station, Thiruvallur District.

For Petitioners : Mr.A.S.K. Sha

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Learned Principal District and Sessions Judge, Thiruvallur and Special Judge for SC and ST Act to consider his bail application on the same day on surrender of this petitioner in Crime No.105 of 2017 on the file of the the Inspector of Police, E-5, Sholavaram Police Station, Thiruvallur District.

2. The learned counsel for the petitioner submits that the petitioner has been implicated in this case for the alleged offences under Sections 374, 344, 370 (3) and 370 (5) IPC, 9, 16, 17, 18 of Bonded Labour System (Abolition) Act, 1976 and 3(1) (vi) of the Scheduled Castes and The Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and that in view of the specific bar under Section 18 of the S.C. & S.T. Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. The learned Additional Public Prosecutor takes notice for the respondent.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the Principal District and Sessions Judge, Thiruvallur is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.105 of 2017 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

4. With this observation, this criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District.
2. The Principal District and
Sessions Judge (and special judge for SC & ST Act)
Thiruvallur.
3. The Public Prosecutor,
High Court, Madras.

RV(CO)
RMP(07/03/17)

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